

Pompton Lakes Board of Education

Health Benefits While on the Family and Medical Leave Act (FMLA) or New Jersey Family Leave Act (NJFLA)

What rights do I have if I need to take time off from work to care for a close family member or my own serious illness?

- **The New Jersey Family Leave Act (NJFLA)**
 - What circumstances entitle me to take the New Jersey Family Leave?
 - The care of a newly born or adopted child, as long as leave begins within one year of the date the child is born or placed with the employee; or the care of a parent, child under 18, spouse, or civil union partner who has a serious health condition requiring in-patient care, continuing medical treatment or medical supervision.
 - To qualify for the leave the employee must have worked for Pompton Lakes Bd of Ed for one year and must have worked at least 1,000 hours, including paid overtime hours, during the 12 months immediately prior to requesting the leave.
 - **The state law provides for 12 weeks of leave in a 24-month period.**
- **The Federal Family and Medical Leave Act (FMLA)**
 - What circumstances entitle me to take the Family and Medical Leave Act?
 - The birth of a son or daughter or placement of a son or daughter with the employee for adoption or foster care; To care for a spouse, son, daughter, or parent who has a serious health condition; **For yourself if a serious health condition makes you, the employee, unable to perform the functions of your job.**
 - To qualify for the leave the employee must have worked for Pompton Lakes Bd of Ed for one year and must have worked at least 1,250 hours, including paid overtime hours, during the 12 months immediately prior to requesting the leave.
 - **The federal law provides for 12 weeks of leave in a 12-month period.**

Both the NJFLA and the FMLA can be taken in 12 consecutive weeks or on an intermittent leave. The two will run concurrently except when a leave is granted for the employee's own disability. A leave granted due to the employee's disability is covered only by the FMLA and may be followed by an additional leave for the care of a family member under the NJFLA.

Do my medical benefits continue when I am on either the FMLA or NJFLA?

- If the leave is under the FMLA for the employee:
 - The FMLA starts and runs concurrently with your sick days. While using your sick days you are still receiving a paycheck and your health benefits contributions will be deducted from your paycheck the same as when you were working.
 - Once your sick days run out and you are no longer receiving a paycheck you have the option to continue on the benefits or drop them until you return to work.
 - If you drop them your benefits will end as of your last payroll contribution.
 - If you continue the benefits you will need to continue to pay your health benefits contribution, previously taken from your paycheck, to the business office. An arrangement must be made on how the contribution will be paid to the district.
- If the leave is under the NJFLA for a family member of the employee:
 - Sick days cannot be used. You can either drop you benefits until you return to work or if you continue the benefits you will need to continue to pay your health benefits contributions, previously taken from your paycheck, to the business office. An arrangement must be made on how the contribution will be paid to the district.

In both on the above scenarios if you do not continue benefits, you will be reinstated when you return to work fulltime. *Find additional info on our Benefits Online website; access Benefits Online from the Staff Portal.*